## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:16-cv-00732-RJC-DSC

| JACQUELINE BELL,                    | ) |              |
|-------------------------------------|---|--------------|
| Plaintiff                           | ) |              |
| v.                                  | ) | <u>ORDER</u> |
| DEPARTMENT OF HOMELAND<br>SECURITY, | ) |              |
| Defendant                           | ) |              |

**THIS MATTER** comes before the Court on Defendant Department of Homeland Security's Unopposed Motion to Set Aside Default, (Doc. No. 11).

Plaintiff Jacquine Bell Motioned for Entry of Default on November 7, 2017. (Doc. No. 9). The Clerk thereby entered Defendant into default on November 8, 2017. (Doc. No. 10). Defendant now moves this Court, with consent of Plaintiff, showing good cause to set aside the Entry of Default because Plaintiff's service was executed on the Department of Homeland Security but not the United States Attorney. <u>See</u> FED. R. CIV. P. 4(i)(A)(1) and (2).

## **IT IS, THEREFORE, ORDERED** that:

- Defendant Department of Homeland Security's Unopposed Motion to Set Aside Default,
   (Doc. No. 11), is GRANTED; and
- 2. The November 8, 2017 Entry of Default, (Doc. 10), is **SET ASIDE.**

Signed: February 21, 2018

Robert J. Conrad, Jr.
United States District Judge